



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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March 19, 2002

Dan Powell  
Emery Industrial Resources  
P.O. Box 489  
Price, Utah 84501

Re: Informal Meeting Notes, Emery Industrial Resources, Cherry Hill Park Mine, M/049/021, Utah County, Utah

Dear Mr. Powell:

Thank you for meeting with Mary Ann Wright, Lynn Kunzler and me on March 12, 2002, to discuss the status of your large mining operation. The meeting was held at the Division offices, beginning at 1:30 p.m. and ended at 3:00 p.m. The purpose of this meeting was to discuss what was needed to complete the permitting of the Cherry Hill Park Mine. The basis of our discussion concerned your responses to the Division's September 30, 1999 deficiency review.

Each outstanding item of the review was discussed, with the Division providing additional detail as to what was needed to complete each section. You provided the Division with 3 maps (labeled plates 1-3), and a section of language from your lease with E.L. Stokes (landowner) which documents certain pre-existing structures. One major issue that was raised dealt with the final reclamation of the site, and the requested variance to leave certain structures for the post mining land use. You agreed to contact the landowner and ask him to provide us with a letter stating his desire to have these structures remain unreclaimed for his intended post mining use. The landowner would assume full responsibility for their continued use upon termination of your mining activities at this site.

We also discussed scheduling a joint inspection of the site when weather conditions allow, to evaluate your past reclamation efforts, the revegetation success on the topsoil (plant growth medium) stockpiles and weed control issues.

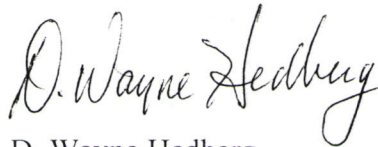
In conclusion of the meeting, you agreed to provide a response to the outstanding deficiencies by March 22, 2002. Two of the issues involve receiving information from outside personnel (the landowner, and obtaining a copy of the Air Quality Approval Order from the construction company). We agreed that if these two items were not available by March 22<sup>nd</sup>, that

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it would be acceptable to provide documentation that these items have been requested, with a commitment to submit them as soon as you received them.

The Division agreed to talk with Utah County about coordinating the final reclamation bonding arrangements for the site. Please don't hesitate to call if you have additional questions, or you believe that we have misrepresented the content of our meeting. I can be reached at (801) 538-5286, or call Lynn Kunzler at (801) 538-5310. Thank you for your cooperation in resolving the remaining permit deficiencies.

Sincerely,

A handwritten signature in black ink that reads "D. Wayne Hedberg". The signature is written in a cursive, flowing style.

D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb  
cc: Buck Rose, Utah County  
Mary Ann Wright DOGM  
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